



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class main in an envelope addressed to Commissioner for Patents, Alexandria, VA

February 19, 2004
(Date of Deposit)
[Signature]
Signature

2/19/04
(Date of Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Graichen et al.

Serial No.: 09/681,652

Group Art Unit: 2113

Filed: May 16, 2001

Examiner: Wilson

Title: System, Method And Computer
Product For Performing Automated
Predictive Reliability

Response to Paper No.: 4

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37
C.F.R. §1.181

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAR - 1 2004
TECHNOLOGY CENTER 2000

Sir:

In accordance with 37 C.F.R. § 1.181, Applicant respectfully requests that the U.S. Patent and Trademark Office (PTO) withdraw the holding of abandonment for the above-identified patent application.

The PTO mailed Applicant an office action (Exhibit A) for the application on June 11, 2003. A reply to the office action was due in the PTO on or before September 11, 2003. Applicant transmitted by facsimile to the PTO a reply (Exhibit B) to the office action on September 5, 2003. Exhibit C shows a copy of a report from Applicant's sending unit confirming transmission of the reply to the PTO. An auto-reply facsimile transmission receipt (Exhibit D) shows that the PTO received the reply on September 5, 2003, which is prior to the deadline.

Applicant received a Notice Of Abandonment (Exhibit E) dated February 4, 2004, indicating that the application is abandoned.

These facts and exhibits clearly show that Applicant transmitted by facsimile a timely reply to the office action and that it was received by the PTO, but not correlated with the application. As a result, the PTO erroneously abandoned the application. Accordingly, Applicant requests that the PTO withdraw the holding of abandonment so that Examiner Wilson can consider the application on its merits.

Respectfully submitted,



David C. Goldman
Attorney for Applicant
Registration No. 34,336

Schenectady, New York
Dated: February 18, 2004